

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

**CHARLES TALBERT,** : **CIVIL ACTION NO. 3:21-1669**  
**Plaintiff** : **(JUDGE MANNION)**  
**v.** :  
**DEPT. OF CORR., et al.,** :  
**Defendants** :

**ORDER**

Plaintiff, an inmate at the State Correctional Institution, Camp Hill, Pennsylvania, filed the above captioned action pursuant to 42 U.S.C. §1983. (Doc. 1). The named Defendants are the Department of Corrections, Secretary John Wetzel, Superintendent Laurel Harry, Classification Treatment Manager Rodney Carberry, Officer Benning, Health Care Administrator Beth Herb, and Dr. Theodor Voorstad. Id. Plaintiff raises claims of retaliation, denial of medical treatment, deprivation of programs need for rehabilitation, and denial of access to the courts. Id.

Prior to service of the complaint, or a responsive pleading having been filed, Plaintiff filed a motion to amend his complaint, along with Plaintiff's proposed amended complaint. (Doc. 13).

Accordingly, **IT IS ORDERED THAT:**

1. Plaintiff's motion to amend (Doc. 13) is **GRANTED**.

2. The Clerk of Court is directed to extract Plaintiff's amended complaint from his motion and docket and file the amended complaint as a separate document.
3. The Clerk of Court is directed to amend the caption of the docket sheet to reflect only the Defendants named in Plaintiff's amended complaint.
4. The filing fee having been paid; Plaintiff's complaint is **DEEMED** filed.
5. The Clerk of Court is directed to forward the amended complaint to the U.S. Marshal Service, for service on the Defendants, in accordance with [Fed.R.Civ.P. 4\(c\)\(3\)](#).
6. If service is unable to be completed due to Plaintiff's failure to properly name the Defendants, or provide an accurate mailing address, Plaintiff will be required to correct this deficiency. Failure to comply may result in the dismissal of Plaintiff's claims against the Defendants pursuant to [FEDERAL RULE OF CIVIL PROCEDURE 4\(m\)](#).
7. Plaintiff's extraneous motions filed prior to this Court directing service of his amended complaint, ([Docs. 3, 4, 8, 10-12, 14](#))<sup>1</sup> are **DISMISSED** without prejudice as premature.
8. The motion to dismiss the original complaint, filed by Defendant Voorstad, ([Doc. 19](#)) is **DISMISSED** as moot.

*s/ Malachy E. Mannion*  
**MALACHY E. MANNION**  
**United States District Judge**

**Dated: December 9, 2021**

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<sup>1</sup> The Court notes that all but one of Plaintiff's motions were filed without a properly supported brief as required by L.R. 7.5.